

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

JUAN MANUEL HERNANDEZ-MARTINEZ, on)	
behalf of himself and themselves and)	
all other similarly situated persons,)	
)	
Plaintiffs,)	
)	
v.)	
)	CLASS ACTION
)	
Speight Seed Farms, Inc., John Milton)	Case No: 4-13-CV-82-BO
Beamon, and Emma Ortega,)	
)	
Defendants.)	

ORDER APPROVING CONTENT OF NOTICE TO CLASS AND METHODS
OF DISTRIBUTION OF CLASS NOTICE

This matter is before the Court on the Joint Motion by the named plaintiff and defendants Speight Seed Farms, Inc. and John Milton Beaman (hereinafter referred to as the "Speight defendants") and defendant Emma Ortega to approve the Notice to Class and the method for distributing that Notice to Class to the putative members of the class and FLSA collective action that the Court has certified against those same defendants. In support of their joint motion, the named plaintiff and the Speight defendants have filed a stipulated notice and method of distribution. The proposed content and method of distribution for that notice are consistent with that previously approved for use in other similar wage actions before the federal courts of this state. See *Haywood v. Barnes*, 109 F.R.D. 568 (E.D.N.C. 1986). They also appear to be reasonably calculated to provide the best notice practicable under the circumstances of this case. Rule 23, Fed.R.Civ.P. The Court therefore formally approves the content of the Notice to Class attached to the respective Joint Motions and the method of distribution for that

Notice to Class that is set out in numbered paragraphs 1-3 of those same Joint Motion for distribution to the members of the class and FLSA collective action certified by this Court under Rule 23(b)(3), Fed.R.Civ.P., and 29 U.S.C. §216(b) in this action against the Speight defendants. The deadline date to be used in that same Notice to Class for submission of written comments and to opt out of this class action is July 15, 2014. The fairness hearing to be specified in that same Notice to Class shall occur at 2:00pm on August 6, 2014 at the Terry Sanford Federal Building and Courthouse, 310 New Bern Avenue, Raleigh, North Carolina 27601. Plaintiff or his designee(s) shall complete the requirements for distributing the approved class notice within thirty (30) days of the date of this Order. The Speight defendants or their designee(s) shall complete the requirements for distributing a summary of that same class notice within the time period specified in paragraph 3 of the Joint Motion.

IT IS SO ORDERED.

DONE and ORDERED at Elizabeth City, North Carolina, this the 13 day of April, 2014.

Terrence W. Bayle
U.S. District Court Judge